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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,705	07/15/2002	Haruyuki Miura		2444

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LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090		

EXAMINER	
ZHAO, DAQUAN	

ART UNIT	PAPER NUMBER
2621	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/088,705

Applicant(s)

MIURA ET AL.

Examiner

Daquan Zhao

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 4, 5, 7, 8, 10, 11, 12, 16, 17, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Hidenori Minoda (JP 07-037341, translation of this document has been provided in the last Office Action).

Regarding claim 4, Hidenori Minoda teaches a reproducing apparatus that transmits main data reproduced from recording media to a recording apparatus connected through a network (e.g. figures 2 and 5, paragraph [0033], the CD reproduction device corresponds to the "reproducing apparatus", the MD record & reproduction system corresponds to the "recording apparatus", the connections between the CD reproduction device and the MD record & reproduction system corresponds to "network"), reproducing apparatus comprising:

- reproducing means for reproducing predetermined main data from said recording media (e.g. the CD reproduction device);

- communication means for communicating with said recording apparatus through a network (the connections between the CD reproduction device and the MD record & reproduction system corresponds to "network");
- detection means for detecting error signals detected in said recording apparatus and received by said communicating means (e.g. system-control microcomputer 9 detects recording error or reproduction error);
- control means for controlling said reproducing mean to start reproducing from a reproducing start position of the main data when said detection means detects the error signals (e.g. paragraph [0034]-[0035] and figure 2, reproducing from the "start of cluster 3" where error occurs corresponds to "mean to start reproducing from a reproducing start position of the main data") and for controlling said reproducing means to stop reproduction of other units of data not located at said start position when said detection means detects the error signal(e.g. temporarily halts recording action of MD record & reproduction system and reproduction action of CD reproduction device 20 corresponds to "stop reproduction of other units of data not located at said start position").

For claim 12, Hidenori Minoda teaches a recording/reproducing system that performs dubbing by employing a reproducing unit that reproduces data (e.g. paragraph

[0030]-[0032], reproduction from CD), a recording unit that records the reproduced data (e.g. record on MD), and an interface unit that transfers data in a predetermined format between said reproducing unit and said recording unit (e.g. the connection between reproducing (CD) and recording device (MD) corresponds to the interface, wherein figure 2 shows the format of the data. Cluster corresponds to "a predetermined format"), said recording/reproducing system comprising:

- transfer error detection means for detecting a transfer error of data in said interface unit (e.g. paragraph [0027]-[0030], error due to the recording formats of CD and MD are different); and
- suspension mean for stopping said dubbing when said transfer error is detected during said dubbing (e.g. paragraph [0033]-[0035], temporarily halts the CD and MD reproducing and recording apparatus).
- control means for controlling said recording unit to permit the recording again from a start position where recording of the reproduced data started when said transfer error is detected by said transfer error detection means (e.g. paragraph [0034]-[0035] and figure 2, reproducing from the "start of cluster 3" where error occurs corresponds to "a start position where recording of the reproduced data started when said transfer error is detected").

Claims 16 and 18 are rejected for the same reasons as discussed in claim 12 above, wherein the system-control microcomputer 9 temporarily halts the recording action of MD record & reproduction system and reproducing action of CD reproduction device 20 corresponds to the claimed "notification step" and the "standby step" because the system-control microcomputer must send "instruction or signal" to halt the MD and CD devices. The "instruction or signal" send from the system-control microcomputer 9 to the MD and CD devices is considered to be the "error notification signal" as claimed. The "standby step" corresponds to the "halting" of the MD and CD devices.

Claim 1 and 7 are rejected for the same reasons as discussed in claim 4 above.

For claim 8, Hidenori Minoda teaches conditions at a time of retry performed by said retry means are from said reproducing unit to said recoding unit before causing said reproducing unit and recording unit to stop based on said transfer error after returning to the start of said track (e.g. paragraph [0034], [0037]).

For claims 10 and 11, Hidenori Minoda teaches transfer error is due to not receiving audio signals in said predetermined format (e.g. paragraph [0013]).

For claim 5, Hidenori Minoda teaches suspending the reproducing the main data until an instruction to restart reproducing is received from the recording apparatus (see paragraph [0041] and [0033]).

For claim 2, Hidenori Minoda teaches the control means further controls said recording apparatus to start recording said main data after receiving, from said reproducing apparatus, said main data reproducing was started from the starting

position of the main data in which said communication error was detected (e.g. paragraph [0033]-[0035]).

For claim 17 and 19, Hidenori Minoda teaches a transmitting step of transmitting an instruction to start reproducing to said reproducing apparatus so the reproducing is started from the start position where reproducing of the main data on which said error was detected is started, when standing by for starting of the reproducing apparatus (see paragraph [0041] and [0033]).

4. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidenori Minoda (JP 07-037341) as applied to claims 1, 2, 4, 5, 7, 8, 10, 11, 12, 16, 17, 18 and 19 above, and further in view of Carlson et al (US 6,804,496 B1).

See teaching of Coverdale et al above.

For claims 3 and 6, Hidenori Minoda fails to teach the status detecting means. Carlson et al teach the status detecting means (e.g. column 5, lines 53-63). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Carlson et al into the teaching of Hidenori Minoda to detect the status of the source or the destination devices to ensure the devices are in good condition for transmission. One ordinary skill would have been motivated to do so to reduce power consumption when the devices are in noise condition (Carlson et al, column 2, lines 50-56).

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5. Claims 13, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidenori Minoda (JP 07-0377341) as applied to claims 1, 2, 4, 5, 7, 8, 10, 11, 12, 16, 17, 18 and 19, and further in view of Office Notice.

For claims 13, 14 and 15, Hidenori Minoda fails to teach an insufficiency of an isochronous resource, a bus reset. And copyright information of said transferred data prohibiting said bubbling. The examiner takes official notice for an insufficiency of an isochronous resource, a bus reset. And copyright information of said transferred data prohibiting said bubbling since they are well known in the art. It would have been obvious for one ordinary skill in the art at the time the invention was made to correct the error above to enhance the reproduction quality of the signal.

6. Claims 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidenori Minoda (JP 07-037341) as applied to claims 1, 2, 4, 5, 7, 8, 10, 11, 12, 16, 17, 18 and 19 above.

See the teaching of Hidenori Minoda above

For claims 9, Hidenori Minoda fails to teach a discontinuity of transferred data. The examiner takes official notice for a discontinuity of transferred data since it is well known in the art. It would have been obvious for one ordinary skill in the art at the time the invention was made to correct the error above to enhance the reproduction quality of the signal.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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